

HOUSE No. 214

By Mr. Greene of Boston, petition of George Greene for legislation relative to establishing a division of commerce in the Department of Labor and Industries. State Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-One.

AN ACT ESTABLISHING A DIVISION OF COMMERCE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Sections eleven B to eleven D, in-
2 clusive, of chapter twenty-three of the General Laws,
3 as amended, are hereby repealed.

1 SECTION 2. Said chapter 23 is hereby amended by
2 inserting after section 11L the following new sections
3 under the caption DIVISION OF COMMERCE:—

4 *Section 11M.* There shall be in the department,
5 but in no respect subject to the jurisdiction thereof,
6 a division of commerce, in sections eleven N to eleven
7 S, inclusive, called the division, which shall be under
8 the control and supervision of an unpaid commission,
9 hereinafter in said sections called the commission,
10 to consist of five members to be appointed by the
11 governor, with the advice and consent of the coun-
12 cil. Not more than three of said members shall be
13 members of the same political party. The commis-

14 sion shall annually choose one of its members as
15 chairman. Upon the expiration of the term of office
16 of a member, his successor shall be appointed in the
17 manner aforesaid for a period of five years. The
18 members shall receive for necessary traveling ex-
19 penses incurred in the performance of their official
20 duties.

21 *Section 11N.* There shall be within the depart-
22 ment an interdepartmental co-operation and advi-
23 sory committee which shall have the duty of ad-
24 vising, assisting and co-operating with the division in
25 the development and execution of such policies and
26 activities in the division and within their own com-
27 missions or departments, respectively, as will best
28 promote and further the purposes of sections eleven M
29 to eleven S, inclusive. Said committee shall consist
30 of the chairman of the commission on interstate co-
31 operation, the chairman of the metropolitan district
32 commission, the commissioner of conservation, the
33 commissioner of corporations and taxation, the com-
34 missioner of agriculture, the commissioner of labor
35 and industries, the chairman of the public utilities
36 commission, the chairman of the Massachusetts
37 aeronautics commission, the commissioner of public
38 works, and the chairman of the Port of Boston Au-
39 thority. The chairman of the commission shall be
40 chairman of the advisory committee.

41 *Section 11O.* It shall be the duty of the division
42 to promote and develop the economic, industrial,
43 agricultural, recreational and natural resources of the
44 commonwealth in accordance with the provisions of
45 sections eleven M to eleven S, inclusive, and for
46 such purposes shall —

47 (a) Conduct research studies of economic, indus-

48 trial, agricultural, recreational and natural resources
49 in the commonwealth.

50 (b) Seek to co-ordinate the activities of unofficial
51 bodies organized for the promotion and development
52 of said resources.

53 (c) Advertise, prepare, print and distribute books,
54 maps, charts and pamphlets which in its judgment
55 will further the purposes of said sections.

56 (d) Accept contributions, and, subject to the ap-
57 proval of the governor and council, may expend the
58 same and may contribute to the New England Coun-
59 cil such sum or sums as the governor and council
60 may approve for the purpose of furthering the rec-
61 reational advantages of the New England states.

62 (e) Expend such sums as may be appropriated by
63 the general court to carry out the purposes of said
64 sections.

65 (f) Make recommendations to the governor and to
66 the general court as to necessary or desirable legisla-
67 tion or action pertaining thereto.

68 *Section 11P.* Subject to the approval of the gov-
69 ernor and council, the commission may appoint and
70 fix the compensation of a director, secretary and
71 such experts as it may require, and may remove them
72 with like approval. Said director may be appointed
73 from the membership of the commission and, if so ap-
74 pointed, shall receive compensation as such director.
75 The division shall have an office in the city of Boston
76 and may employ, within the limits of the amount
77 appropriated therefor, such clerks and other employ-
78 ees as it may deem necessary and, subject to appro-
79 priation, may incur such other expenses, including
80 the expense for the promotion, advertising and de-
81 velopment of the resources of the commonwealth.

82 *Section 11Q.* There shall be within the division
83 an unpaid committee, to be known as the Small Busi-
84 ness Advisory Committee and to consist of three
85 members who shall be appointed by the governor,
86 with the advice and consent of the council, for terms
87 of three years. In the appointment of the original
88 members, one shall be appointed for a term of one
89 year, one for a term of two years and one for a term
90 of three years. Upon the expiration of the term of
91 office of a member, his successor shall be appointed
92 for a term of three years in like manner. Not more
93 than two members of the committee shall be mem-
94 bers of the same political party. The members shall
95 receive their necessary expenses incurred while in the
96 performance of their official duties.

97 *Section 11R.* The commission annually in Decem-
98 ber shall make to the governor and council and to the
99 general court a full report in writing, and may submit
100 with such report such recommendations pertaining to
101 its affairs as it may deem advisable, together with
102 drafts of such legislation as it may recommend.

103 *Section 11S.* All departments, divisions, commis-
104 sions and other subdivisions of the commonwealth
105 shall, upon request, furnish the commission with
106 copies of all appropriate statistics and other data
107 compiled by them, excepting any information re-
108 quired to be withheld.

1 SECTION 3. The initial membership of the com-
2 mission established by section two of this act shall
3 consist of the members of the Massachusetts Devel-
4 opment and Industrial Commission in office immedi-
5 ately prior to the effective date of this act and they
6 shall continue to serve as members of said commis-

7 sion until the expiration of their respective terms, not-
8 withstanding any provision of this act to the contrary.

1 SECTION 4. All employees serving under the au-
2 thority of section eleven C of chapter twenty-three
3 of the General Laws immediately prior to the effec-
4 tive date of this act are hereby transferred to the
5 employ of the division of commerce, established by
6 this act, without impairment of their civil service
7 status, if any, and they shall retain all present rights
8 now given them under chapter thirty-one of the
9 General Laws, if any, and such employees shall retain
10 any step increases in salary heretofore earned by
11 them, and for retirement purposes their previous
12 service shall be deemed to be continuous service.

1 SECTION 5. The division of commerce, established
2 by this act, is hereby authorized and directed to
3 make, during the fiscal year ending June thirtieth,
4 nineteen hundred and fifty-one, a comprehensive in-
5 vestigation and study of the entire economy of the
6 commonwealth. Such investigation and study shall
7 contain an analysis of the existing laws, regulations,
8 programs and administrative practices of the com-
9 monwealth relating to activities having a bearing
10 upon industrial and commercial growth within the
11 commonwealth to ascertain what policies, if any, hin-
12 der such growth and place the commonwealth in an
13 unfavorable competitive position with other states,
14 and to determine what changes in policies are de-
15 sirable for fostering the development of industry
16 and commerce. Such investigation and study shall
17 include, but shall not be restricted to: (1) the causes
18 of industrial migration from the commonwealth;

19 (2) taxation; (3) marketing; (4) labor conditions,
20 problems and legislation including a study of labor
21 laws of competitive states; (5) recreation; (6) trans-
22 portation; (7) the functions of existing departments,
23 divisions, commissions, boards or agencies of the
24 commonwealth in so far as they relate to the de-
25 velopment and promotion of commerce, industry,
26 agriculture and recreation; and (8) such related
27 matters and problems as, in the opinion of the
28 commission having control and supervision of said
29 division, may be pertinent to the purposes of this
30 section.

31 The report of said investigation and study shall
32 contain findings, comments and recommendations
33 relative to: (1) the conservation and development of
34 the natural resources of the commonwealth; (2) the
35 maintenance, in so far as possible, of present in-
36 dustry within the commonwealth at a high level of
37 employment and prosperity; (3) the securing, estab-
38 lishment and retention of new industries and other
39 enterprises; (4) ways and means of encouraging,
40 promoting, and expanding the prosperous growth
41 and progress of Massachusetts business, industry,
42 commerce and agriculture, including proposals for
43 the elimination of any restrictions and burdens im-
44 posed by law or otherwise existing which adversely
45 affect and retard said prosperous growth and prog-
46 ress, with particular attention to the problems of
47 small business; (5) the most effective organizational
48 structure which can be established within the state
49 government to attack the problems uncovered, in-
50 cluding a statement as to objectives, functions, or-
51 ganizational structure, and personnel and financial
52 requirements of the proposed organization.

53 Said division, in making its investigation and
54 study hereunder, may hold hearings and may call
55 upon the departments, commissions, boards, divi-
56 sions, bureaus or agencies of the commonwealth for
57 such information as it may desire in the course of its
58 investigation and study.

59 For the purpose of the investigation and study
60 under this section, said division of commerce may
61 hire technical assistance, including experts in the
62 fields of industry, taxation, labor, marketing, recre-
63 ation and other fields related to the commerce and
64 industry in the commonwealth and may spend for
65 clerical and other services and expenses such sums,
66 not exceeding in the aggregate forty thousand dol-
67 lars, as may hereafter be appropriated therefor.

68 Said division of commerce shall make a report to
69 the general court on the results of its investigation
70 and study under this section, together with its recom-
71 mendations and drafts of legislation necessary to
72 carry into effect its recommendations, in so far as
73 they relate to changes in the laws of this common-
74 wealth, by filing the same with the clerk of the house
75 of representatives not later than the first day of
76 March in the year nineteen hundred and fifty-one.

